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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,287	03/25/2004	Kenji Kamada	XA-10061	5093
181 7590 07/09/2008 MILES & STOCKBRIDGE PC 1751 PINNACLE DRIVE SUITE 500 MCLEAN, VA 22102-3833				
EXAMINER				
LEE, CHUN KUAN				
ART UNIT		PAPER NUMBER		
2181				
NOTIFICATION DATE		DELIVERY MODE		
07/09/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/808,287

Applicant(s)

KAMADA ET AL.

Examiner

Chun-Kuan Lee

Art Unit

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

CONTINUED EXAMINATION UNDER 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/22/2008 has been entered.

RESPONSE TO ARGUMENTS

2. Applicant's arguments filed 04/22/2008 have been fully considered but they are not persuasive. Currently, claims 1-4 are canceled and claims 5-6 are pending for examination.

3. In response to applicant's arguments (on page 5, 2nd paragraph) regarding the amended independent claim 5 rejected under 35 U.S.C. 103(a) that the combination of Laine and Farazmandnia do not teach the claimed features; applicant's arguments have fully been considered, but are not found to be persuasive.

The examiner respectfully disagrees, as discussed in detail below, the combination of Laine and Farazmandnia do teach/suggest the claimed features by

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Laine in Figures 2-3B; col. 5, l. 19 to col. 6, l. 64; col. 7, l. 66 to col. 8, l. 7; col. 9, ll. 2-19 and col. 16, ll. 49-57, and by Farazmandnia in Figure 2 and col. 1, l. 52 to col. 2, l. 17.

I. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Laine et al. (US Patent 6,687,796) in view of Farazmandnia et al. (US Patent 6,728,795).

5. As per claim 5, Laine teaches a serial communication device, comprising:

a serial interface (e.g. serial port) to receive data (col. 7, l. 66 to col. 8, l. 7); and

a direct memory access (DMA) controller (Fig. 2-3B, ref. 210) to transfer said data received by said serial interface from said serial interface to a first memory (e.g. first-in first-out (FIFO) buffer) (col. 5, ll. 36-54),

wherein said DMA controller is started up before said serial interface receives said data (col. 6, ll. 20-24), as the DMA controller's port must be able to respond to the received request for data transferring, the DMA controller must be already active (i.e. already started up) before receiving the request;

said DMA controller (Fig. 2, ref. 210) sets a number of transfers before said serial interface receives said data (col. 5, l. 19 to col. 6, l. 24), wherein the number of transfers is set by the DMA controller via the DMA controller setting by configuring the size of the FIFO,

the number of data received (e.g. received by reading) at a time by the serial interface (e.g. serial port) (col. 5, l. 19 to col. 6, l. 24 and col. 7, l. 66 to col. 8, l. 7),

said direct memory access controller (Fig. 3A, ref. 370) outputs a direct memory access transfer end interrupt signal to a central processing unit (e.g. CPU) (col. 6, ll. 62-64), as the interrupt generator (Fig. 3A, ref. 370) generating interrupts to the CPU according to the DMA configuration and state,

wherein said first memory is comprised of two or more memory areas (FIFO 0, FIFO 1, FIFO 2, FIFO 3, FIFO 4, FIFO 5 of Fig. 3A),

wherein said direct memory access controller has a continuous transfer function and transfers said data from said serial interface to said first memory while alternately switching the destinations of the data received by said serial interface among said two or more memory areas as triggered by said direct memory access transfer end interrupt signal or a receive timeout interrupt signal (col. 5, l. 19 to col. 6, l. 64 and col. 16, ll. 49-57), wherein the DMA controller is a multi-channel DMA controller servicing each corresponding channels in a continuous round-robin method; therefore, when the multi-channel DMA controller is configured in the state that one of the channels has just finish being serviced and data is read, the direct memory access transfer end interrupt signal

would be outputted and the multi-channel DMA controller switches to receiving data for the next channel into the corresponding FIFO buffer, and

said data transferred to said first memory is triggered by said direct memory access transfer end interrupt signal or said receive timeout interrupt signal for use by an application or a driver (col. 5, l. 19 to col. 6, l. 64; col. 9, ll. 2-19 and col. 16, ll. 49-57).

Laine does not teach the serial communication device, comprising:

wherein the first memory is external to the direct memory access controller;

setting a number larger than the number of data received ...;

the number of data transferred from said serial interface ... ; and

said data is transferred to an application/driver work area

Farazmandnia teaches a system and a method comprising:

a first memory (Fig. 2, ref. 204) is external to a direct memory access controller (Fig. 2, ref. 206);

setting a number (e.g. number set to 7 as the DMA FIFO have 7 blocks for data buffering) larger than the number of data received at a time (e.g. one byte is received at a time) as the number of transfers to said first memory (e.g. DMA FIFO 204 of Fig. 2) (col. 1, l. 52 to col. 2, l. 17), as the DMA FIFO is preferably set to a size of 8 bytes, with 7 blocks have one byte each for buffering data, which is larger than the number of one byte data that is received at a time, as a number of transfers; and

the number of data transferred from a serial interface (Fig. 2, ref. 200) to the first memory (e.g. DMA FIFO 204 of Fig. 2) reaches said number set as the number of

transfers (col. 1, l. 52 to col. 2, l. 17), wherein the number data transferred reaches the number of transfers as the DMA FIFO is filled; and

wherein the data is transferred to a second memory (Fig. 2, ref. 208) (e.g. application/driver work area) triggered by a timeout condition (Abstract and col. 1, l. 52 to col. 2, l. 17), as data stored in the first memory is transferred to the second memory to be manipulated by communication application.

It would have been obvious for one of ordinary skill in this art, at the time of invention was made to include Farazmandnia's transferring of data when the FIFO is filled into Laine's DMA controller for the benefit of providing a high-speed asynchronous data transferring (Farazmandnia, col. 1, ll. 52-55) to obtain the invention as specified in claim 1.

6. As per claim 6, Laine and Farazmandnia teach all the limitations of claim 5 as discussed above, where Farazmandnia further teaches the serial communication device comprising wherein the transfer of data to said application/driver work area includes direct memory access of a channel different from a direct memory access channel used in the transfer of said data from said serial interface to said first memory (Farazmandnia, Fig. 2), as the channel utilized for transferring data to the DMA FIFO (Farazmandnia, Fig. 2, ref. 204) is different from the channel utilized for transferring data from the DMA FIFO (Farazmandnia, Fig. 2, ref. 204) to the host memory (Farazmandnia, Fig. 2, ref. 208).

II. CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. 707.07(i)**:

a(1) CLAIMS REJECTED IN THE APPLICATION

Per the instant office action, claims 5-6 have received a first action on the merits and are subject of a first action non-final.

b. DIRECTION OF FUTURE CORRESPONDENCES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

IMPORTANT NOTE

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C.K.L./

June 30, 2008

Chun-Kuan (Mike) Lee
Examiner
Art Unit 2181

/Alford W. Kindred/

Supervisory Patent Examiner, Art Unit 2181